



Order Filed on March 31, 2022  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**Caption in Compliance with D.N.J. LBR 9004-2(c)**

Friedman Vartolo LLP  
85 Broad Street- Suite 501  
New York, New York 10004  
bankruptcy@friedmanvartolo.com  
T: (212) 471-5100  
F: (212) 471-5150  
Attorneys for SN Servicing Corporation as servicer  
for U.S. Bank Trust National Association, as Trustee  
of the Tiki Series III Trust

In Re:

Jose Tenecela

Debtor(s)

Case No.: 16-33984-JKS

Chapter: 13


Hearing Date:  
02/10/2022

Hon. Judge:  
John K. Sherwood

**ORDER RESOLVING DEBTOR MOTION TO REINSTATE STAY**

The consent order set forth on the following pages, numbered two (2) through three (3), is hereby **ORDERED**.

**DATED: March 31, 2022**

  
\_\_\_\_\_  
Honorable John K. Sherwood  
United States Bankruptcy Court

**(Page 2)**

Debtor: Jose Tenecela  
Case No.: 16-33984-JKS  
Caption: Order Resolving Debtor Motion to Reinstate Stay

THIS MATTER having been brought before the Court by Jenee K. Ciccarelli, Esq., attorney for the Debtor, Jose Tenecela (“Debtor”), upon the filing of a Motion to Reinstate Stay (“Motion”) and SN Servicing Corporation as servicer for U.S. Bank Trust National Association, as Trustee of the Tiki Series III Trust (“Secured Creditor”), by and through its attorneys, Friedman Vartolo LLP, having filed an Objection to the Motion, and the parties having subsequently resolved their differences; and the Court noting the consent of the parties to the form, substance and entry of the within Order; and for good cause shown;

**IT IS HEREBY ORDERED** as follows:

1. The stay as to the Secured Creditor, shall NOT be reinstated, however, the Debtor shall be afforded the opportunity to cure the post petition arrears.
2. The Debtor is/are overdue for post petition payments through and including February 2022, in the amount of **\$5,804.77.**
3. Beginning on **February 1, 2022**, Debtor must make regular monthly mortgage payments shall continue to be made per the terms of the Note, Mortgage and/or payment change notices.
4. Beginning on **April 1, 2022**, additional monthly cure payments shall be made in the amount of **\$967.46** for **5** months.
5. Beginning on **October 1, 2022**, additional monthly cure payments shall be made in the amount of **\$967.47** for **1** month.
6. Payments to the Secured Creditor shall be made to the following address:  
SN Servicing Corporation  
P.O. Box 660820  
Dallas, TX 75266
7. The pre-petition arrears claim filed by Secured Creditor at claims registry #3-1 shall be paid as filed through Debtor’s Chapter 13 Plan.

**(Page 3)**

Debtor: Jose Tenecela  
Case No.: 16-33984-JKS  
Caption: Consent Order Resolving Debtor Motion to Reinstate Stay

8. Secured Creditor's Objection to the Motion, ECF No. 190, is hereby resolved by this Order.
9. In the event the instant Chapter 13 bankruptcy case is dismissed or converted to another chapter under the bankruptcy code prior to Secured Creditor's secured claim being paid in full, the terms of the note and mortgage shall govern.
10. Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment commencing after the cure of the post petition delinquency is more than thirty (30) days late, while the case is administratively open, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and Debtor('s) attorney and the court shall enter an Order granting relief from the Automatic Stay.
11. Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment commencing after the cure of the post petition delinquency is more than thirty (30) days late, while the case is administratively closed, Secured Creditor may proceed with its state court rights and remedies to commence/continue with their foreclosure/eviction proceeding without further order from this Court.
12. This Order shall be incorporated in and become part of any Order Confirming Plan in the herein matter.

In re:  
Jose Tenecela  
Debtor

Case No. 16-33984-JKS  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-2  
Date Rcvd: Mar 31, 2022

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 02, 2022:

Recip ID	Recipient Name and Address
db	+ Jose Tenecela, 349 Watsessing Ave, Bloomfield, NJ 07003-6026

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 02, 2022

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 31, 2022 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor MTGLQ INVESTORS L.P. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Francesca Ann Arcure	on behalf of Creditor Nationstar Mortgage LLC farcure@hillwallack.com NJ_ECF_Notices@McCalla.com
Jenee K. Ciccarelli	on behalf of Debtor Jose Tenecela info@jc-lawpc.com nadiainfiancial@gmail.com;kjr76568@notify.bestcase.com
Jonathan C. Schwalb	on behalf of Creditor SN Servicing Corporation as servicer for U.S. Bank Trust National Association as Trustee of the Tiki Series III Trust bankruptcy@friedmanvartolo.com
Jonathan C. Schwalb	on behalf of Creditor SN Servicing Corporation as servicer for U.S. Bank Trust National Association as trustee of the Chalet Series III Trust bankruptcy@friedmanvartolo.com

District/off: 0312-2

User: admin

Page 2 of 2

Date Rcvd: Mar 31, 2022

Form ID: pdf903

Total Noticed: 1

Marie-Ann Greenberg

magecf@magtrustee.com

Paola D. Vera

on behalf of Debtor Jose Tenecela pvera@cabanillaslaw.com bankruptcy@cabanillaslaw.com;r64840@notify.bestcase.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8